

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION  
1:12-CV-00895-WO-LPA

THEODORE HOWARD,	)	
Plaintiff,	)	
	)	
vs.	)	<b>DEFENDANTS'</b>
	)	<b>MOTION FOR SUMMARY JUDGMENT</b>
	)	
	)	
GE MONEY, SMITH DEBNAM NARRON	)	
DRAKE SAINTS & MYERS LLP,	)	
Defendants.	)	

NOW COME the defendants, GE Capital Retail Bank, FSB and Smith Debnam Narron Drake Saintsing & Myers, LLP (collectively, "Defendants"), by and through the undersigned counsel, and pursuant to Rule 56 of the Federal Rules of Civil Procedure move the court for summary judgment in their favor and against the plaintiff;

AND IN SUPPORT OF THIS MOTION, Defendants are filing this date Defendants' Memorandum of Law Supporting Summary Judgment with the following attachments: Declaration of Martha Koehler; Declaration of Jerry T. Myers; and Deposition of Theodore Howard.

WHEREFORE because there is no genuine issue of material fact and Defendants are entitled to judgment as a matter of law, Defendants pray that this motion be granted and this action be dismissed with prejudice.

This the 4th day of October, 2013.

**s/Bettie Kelley Sousa**  
Bar Number: NC 9902  
Smith Debnam Narron Drake  
Saintsing & Myers, LLP  
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THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION

THEODORE HOWARD,	)	
Plaintiff,	)	
	)	
vs.	)	CASE NO. 1:12-CV-895
	)	
GE MONEY, SMITH DEBNAM NARRON	)	
DRAKE SAINTS & MYERS LLP,	)	
Defendants.	)	

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the all persons who have made an appearance in the case, and I hereby certify that I have mailed the document to the plaintiff, whom I believe to be a non CM/ECF participant, at the following address:

Theodore Howard  
2359 James Boswell Road  
Burlington, NC 27217

This the 4th day of October, 2013.

**/s/Bettie Kelley Sousa**  
Bar Number: NC 9902  
Smith Debnam Narron Drake  
Saintsing & Myers, LLP  
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